IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 15351 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MAHESH TEA PROCESSORS & PACKERS

Versus

MEHSANA NAGRIK SAHKARI BANK LTD.

Appearance:

1. Special Civil Application No. 15351 of 2003

MR MIHIR JOSHI for MR ANSHIN H DESAI for Petitioner No. 1-5

MR PK JANI for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE M.S.SHAH

Date of decision: 15/12/2003

ORAL JUDGEMENT

This petition is directed against the judgment and order dated 25.9.2003 passed by the Gujarat State Cooperative Tribunal, Ahmedabad in Appeal No.1232 of 2003 granting conditional stay against execution of the award passed by the Board of Nominees at Mehsana in Summary Suit No.1227 of 2003.

2. At the hearing of this petition, Mr Mihir Joshi, learned counsel for the petitioners has sought leave to place on record a copy of the letter dated 27.11.2003 from the respondent- Mehsana Nagrik Sahakari Bank Ltd. stating that the petitioners have paid off all their dues against the industrial cash credit loan and that no dues of the respondent-bank are outstanding from the petitioners.

The copy of the letter dated 27.11.2003 is taken on record.

3. Mr PK Jani, learned counsel for the respondent-bank confirms that the respondent-bank has received all its dues from the petitioners as stated in the said letter dated 27.11.2003.

4. In view of the above, it appears that nothing further would survive in this petition. Hence, the petition is dismissed as infructuous.

Rule is discharged. Ad-interim relief granted earlier stands vacated.

(M.S. SHAH, J.)
zgs/-